
From: Kritzer, Jamie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CEE93C49D01445A3B541BB327DCDC840-JBKRITZER]
Sent: 10/3/2017 2:50:10 PM
To: Weiner, Sadie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=df98bd64929043eeaab54e589dd7d1b2-asweiner]
Subject: FW: [External] SELC notice of intent to sue Duke Energy over CWA violations at Belews Creek ash sites

FYI.

Jamie Kritzer
Communications Director
N.C. Department of Environmental Quality
919-707-8602
919-218-5935



Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Young, Sarah
Sent: Tuesday, October 03, 2017 2:45 PM
To: Kritzer, Jamie <jamie.kritzer@ncdenr.gov>
Subject: FW: [External] SELC notice of intent to sue Duke Energy over CWA violations at Belews Creek ash sites

From: Holly, Chris [<mailto:Chris.Holly@ihsmarkit.com>]
Sent: Tuesday, October 03, 2017 2:41 PM
To: Young, Sarah <sarah.young@ncdenr.gov>
Subject: [External] SELC notice of intent to sue Duke Energy over CWA violations at Belews Creek ash sites

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you verify that the attachment and content are safe. Send all suspicious email as an attachment to report.spam@nc.gov.

Hi Sarah. I'm not sure if you are the correct person for this question, but I'm writing to ask if NC DEQ has any response to the notice of intent to sue Duke Energy filed today by the Southern Environmental Law Center on behalf of Appalachian Voices and the NAACP targeting alleged Clean Water Act violations at coal ash storage sites at Duke's Belews Creek power plant. (If you are not the correct person kindly forward this email to the correct person, please.)

I ask for two reasons, the first being that the NOI went both to Duke and to Secretary Regan. The other reason is that we are watching closely to see what action the Cooper administration may take toward this potential lawsuit—which I believe would be the first coal ash lawsuit filed since Gov. Cooper assumed office.

As you may know, during the tenure of former Gov. McCrory, DEQ—then DENR—on several occasions filed its own enforcement actions targeting Duke ash-related violations as soon as the agency became aware of SELC's intention to

file a citizens' suit targeting those alleged violations. DENR's intervention effectively mooted the SELC suits, and eventually imposed fines or penalties that SELC repeatedly characterized as being weaker and/or less effective than the group might have expected to win at trial or settlement.

So, given these circumstances, my editor wanted to give DEQ a chance to weigh in should the agency wish to. My deadline to file this story is 4:45 pm today.

Best regards,

Chris Holly
Environment Reporter
IHS The Energy Daily
1300 Connecticut Ave NW Ste 700
Washington, DC 20036 USA
+1 202.481.7983
+1 571.329.8432
chris.holly@ihs.com
www.theenergydaily.com